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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,352	11/19/2003	Ramajeyam Gopalraj	LOT920030017US1	7004
23550 7590 04/09/2007 HOFFMAN WARNICK & D'ALESSANDRO, LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207			EXAMINER DAFTUAR, SAKET K	
			ART UNIT	PAPER NUMBER
			2151	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/717,352	GOPALRAJ, RAMAJEYAM	
	<b>Examiner</b>	<b>Art Unit</b>	
	Saket K. Daftuar	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/19/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to the application filed on November 19<sup>th</sup>, 2003. Claims 1-22 are presented for the examination.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-9 recites the limitation "during a session". To establish a session one ordinary skilled in the art would need a client/server environment. Therefore, there is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the session may have expired". There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "sending a request to the network application" and "determining if a login page is received ...in response to the request". It is not clear why one would need a login page if one would send a request to network application. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation of "session time" and "the determining step". It is not clear what determining step applicant is referring to, is it for determining

session time or is it for determining a login page? Also, It is not clear what this "session time" applicant is referring to. To establish a session one ordinary skilled in the art would need a client/server environment. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-14 and 18-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1 and 10 raises a question as to whether the claims are directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful and tangible result to form the basis of statutory subject matter under 35 U.S.C 101.

Claims 1 recite the limitation "a method for obtaining application data for a network application, comprises: obtaining a data page..., receiving the application data..., ensuring that the session..., submitting the application data" and claim 10 further recites " establishing a session..., providing a data page... and receiving the application data". The method steps do not show use of any hardware devices or components and therefore, claims are directed towards a non-statutory subject matter as not being tangible.

Claims 18 recites the limitation "a program product stored on a recordable medium when executed comprises: program code". Claims are directed towards a non-statutory subject matter as not being tangible because a program code doesn't show any functional relationship with computer component. Program codes are neither a hardware component nor it's a statutory process. Therefore, claims 18-22 are non-statutory subject matter as not being tangible.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1- 22, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Gupta et al. U.S. Patent Number 6,226,752 B1 (hereinafter Gupta).

As per claim 1, Gupta discloses obtaining a data page from a network application during a session (see column 2, lines 15- 67, Figure 3); receiving the application data using the data page (see column 2, lines 15- 67, Figure 3); ensuring that the session is valid (see column 4, line 30 - column 5, line 41; Figure 3); and submitting the application data to the network application when the session is valid (see column 4, line 30 - column 5, line 41; Figure 3).

As per claim 2, Gupta discloses establishing the session with the network application (see column 4, line 30 - column 5, line 41; Figure 3).

As per claim 3, Gupta discloses receiving a submission request for the application data (see column 4, line 30 - column 5, line 41; Figure 3).

As per claim 4, Gupta discloses determining if the session may have expired (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; Figure 4); and querying the network application for a session status if the session may have expired (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; Figure 4).

As per claim 5, Gupta discloses sending a request to the network application (see column 4, line 30 - column 5, line 41; Figure 3); and determining if a login page is received from the network application in response to the request (see column 4, line 30 - column 5, line 41; Figure 3).

As per claim 6, Gupta discloses obtaining a session time remaining at a first time (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4); determining a submission time for the submission request (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4); and comparing the session time remaining to a difference between the submission time and the first time (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4).

As per claim 7, Gupta discloses the first time comprises a display time for the data page (column 11, line 45 – column 12, line 6; Figures 3- 4).

As per claim 8, Gupta discloses the ensuring step comprises establishing another session with the network application if the session is invalid (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 12, lines 14-24; Figures 3- 4).

As per claim 9, Gupta discloses data page is displayed in a first window, and wherein the establishing step includes displaying a login page in a second window (See abstract, see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4, application server redirects the user to login server and when authenticated login server redirects the user back to the application server inherently discloses data page is displayed in a first window, and wherein the establishing step includes displaying a login page in a second window).

As per claim 10, Gupta discloses establishing a session with a client (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3); providing a data page to the client, wherein the data page ensures that the session is valid before submitting the application data (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3); and receiving the application data from the client (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3).

As per claim 11, Gupta discloses providing a login page to the client (see column 2, lines 15- 67, column 4, line 30 - column 5, line 41; Figure 3); receiving login data from the client (see column 2, lines 15- 67, column 4, line 30 - column

5, line 41; Figure 3); and authenticating the login data (see column 2, lines 15-67, column 4, line 30 - column 5, line 41; Figure 3).

As per claim 12, Gupta discloses receiving a request from the client for an invalid session (see column 2, lines 15-67, column 4, line 30 - column 5, line 41; column 11, line 45 – column 12, line 24; Figure 3 - 4); and providing the login page to the client in response (see column 2, lines 15-67, column 4, line 30 - column 5, line 41; column 11, line 45 – column 12, line 24; Figure 3 - 4).

As per claim 13, Gupta discloses the data page includes a session time remaining (see column 2, lines 15-67, column 4, line 30 - column 5, line 41; column 11, line 45 – column 12, line 6; Figure 3 - 4).

As per claim 14, Gupta discloses determining a display time for the data page (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4); determining a submission time for a submission request (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4); and comparing the session time remaining to a difference between the submission time and the first time (see column 5, line 42 - column 6, line 51; column 7, lines 1-15; column 11, line 45 – column 12, line 6; Figures 3- 4).

As per claim 15, Gupta discloses a session system for establishing a session with a client (see column 2, lines 15-67, column 4, line 30 - column 5, line 41; Figure 3); and a data system for providing a data page to the client and receiving the application data from the client (see column 2, lines 15-67, column



4, line 30 - column 5, line 41; Figure 3); wherein the data page ensures that the session is valid before submitting the application data (see column 2, lines 15-67, column 4, line 30 - column 5, line 41; Figure 3).

As per claim 16, Gupta discloses the system of claim 15, further comprising a display system for displaying pages to a user (see column 5, line 42 - column 6, line 51).

As per claim 17, Gupta discloses the system of claim 15, wherein the session system provides a login page to the client in response to a request for an invalid session (see column 4, line 30 - column 5, line 41; column 11, line 45 - column 12, line 24; Figure 3 - 4).

As per claims 18-22, claims 18-22 are program product claims of method claims of 1-3, 5-6 and 9. They do not teach or further define over the limitation as recited in claims 1-3, 5-6 and 9. Therefore, claims 18-22 are rejected under same scope as discussed in claims 1-3, 5-6 and 9, supra.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See accompanying PTO 892.

8. A shortened statutory period for reply to this action is set to expire **THREE MONTHS** from the mailing date of this action. Failure to respond within the period for

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response will result in **ABANDONMENT** of the applicant (See 35 U.S.C 133, M.P.E.P 710.02,71002 (b)).

**Contact Information**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saket K. Daftuar whose telephone number is 571-272-8363. The examiner can normally be reached on 8:30am-5:00pm M-W.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SKD

  
**ZARNI MAUNG**  
**SUPERVISORY PATENT EXAMINER**